

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CLERK'S OFFICE

Clarence Maddox
Court Administrator • Clerk of Court

2004 JUL 21 P 1:01
301 North Miami Avenue
Miami, Florida 33128-7788
(305) 523-5100

U.S. DISTRICT COURT
DISTRICT OF MASS.

TRANSMITTAL LETTER

TO: UNITED STATES DISTRICT COURT
ONE COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

RE: USA v ARCHIBALD MACLEOD
Our Case No. 04-5154-LRJ

DATE: JULY 13, 2004

CLARENCE MADDUX
CLERK U.S. DIST. CT.
S.D. OF FLA. - WPB

04 JUL 13 PM 4:43

FILED BY C D.C.

The above-mentioned cause has been transferred to your jurisdiction pursuant to Rule 40

Please find enclosed the following documents:

 Original file
 Certified File (pertinent papers only)
XX Magistrate Proceedings -Original Pleadings
 CASH Bond Amount \$ _____
(Note: Cash is not included in this transmittal and will be forwarded at a later date from the Financial Section)

Kindly acknowledge receipt of these documents by RECEIVING STAMPING the enclosed copy of this letter and sending it to:

UNITED STATES DISTRICT COURT
CLERK OF COURT
701 CLEMATIS STREET
WEST PALM BEACH, FLORIDA 33401

Yours sincerely

By Emil Guerner
Deputy Clerk

The Mission of the Clerk's Office for the Southern District of Florida is to be the mechanism for the judges, the bar, litigants, and the public, to resolve disputes in a just and efficient manner.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

2004 JUL 21 P 1:01

CASE NO. 04-5154-LRS

UNITED STATES OF AMERICA,

v.

Archibald MacLeodU.S. DISTRICT COURT
DISTRICT OF MASS.

FILED by S D.C.
MAG. SEC.

Jul 12, 2004

CLARENCE MAURICE
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B.

WARRANT OF REMOVALA(n) XX Complaint Indictment Supervised Release Warranthaving been filed in the _____ District of Massachusetts
charging the above named defendant with 21:846, 841(a)(1) and the
defendant having surrenderedXX been arrestedin the Southern District of Florida, having had an initial
appearance before the Court and having:XX waived further hearing been given a hearing in
accordance with Fed.R.Crim.P. 40.having not posted the bail as set by the Court, the
defendant is hereby committed to the custody of the United
States Marshal for removal to the District where the charge
is pending and delivery to the United States Marshal for
that District or his lawfully authorized representative.DONE AND ORDERED at West Palm Beach, Florida this 12th day
of July, 2004.

TAPE NO. LRI-04-42-399

UNITED STATES MAGISTRATE JUDGE
LINNEA R. JOHNSON5
Eg

United States District Court

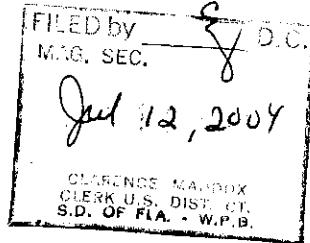
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-5154-LRJ

UNITED STATES OF AMERICA,

VS.

Archibald Macleod, Jr.



WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

I, Archibald Macleod, Jr., understand that in the District of Massachusetts, charges are pending alleging violation of 21: 846 + 841(a)(1) and that I have been arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

identity hearing
 preliminary examination
 identity hearing and have been informed I have no right to a preliminary examination
 Identity hearing but request a preliminary examination be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Archibald Macleod, Jr.
Defendant

Mark L. Weis
Defense Counsel

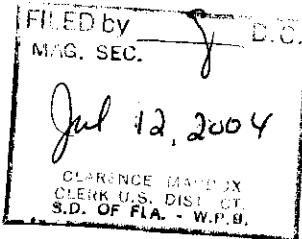
7/12/04
Date

4/29

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDACASE NO. 04-5154-LRJ

UNITED STATES OF AMERICA

Plaintiff,

v.
ARCHIBALD F. MACLEOD, JR.
Defendant./ **ORDER ON INITIAL APPEARANCE**AUSA Emalyn Webber
Agent Ganesh - USMSLanguage ENGLISH
Tape No. LRJ-04- 42-399

The above-named defendant having been arrested on 7/12/04 having appeared before the court for initial appearance on July 12, 2004 and proceedings having been held in accordance with **F.R.C.P. 5 or 40(a)**, it is thereupon

ORDERED as follows:

1. _____ appeared as permanent/temporary counsel of record.

Address: _____

Zip Code: _____ Telephone: _____

2. Federal Public Defender appointed as permanent counsel of record.Address: 400 Biscayne Ave 21st fl W.P.B.FIZip Code: 33401 Telephone: 561-833-62883. The defendant shall attempt to retain counsel and shall appear before the court at 10:00 A.M. on Removal N/A, 2004.4. **PRELIMINARY/ARRAIGNMENT** is set for Held, 2004.5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because of 16 > Request.

A detention hearing, pursuant to 18 U.S.C. Section 3142(f), is set for _____, 2004.

6. The defendant shall be release from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:

* PTO not held. Deft has right to visit PTO issue in Massach. 01.

This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel document to the Pretrial Services Office.
- b. Report to Pretrial Services as follows: _____ times a week by phone, _____ time a week in person; other: _____
- c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.

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a

- d. Maintain or actively seek full time gainful employment.
- e. Maintain or begin an educational program.
- f. Avoid all contact with victims of or witnesses to the crimes charged.
- g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- h. Comply with the following curfew: _____
- i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.
- j. Comply with the following additional special conditions of this bond:

This bond was set: At Arrest _____
On Warrant _____
After Hearing _____

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is _____

If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

DONE AND ORDERED at West Palm Beach, Florida, this 12th day of July, 2004.

Linnea R. Johnson
UNITED STATES MAGISTRATE JUDGE
LINNEA R. JOHNSON

c: Assistant U.S. Attorney
Defendant
Counsel
U.S. Marshal
Pretrial Services/Probation

COURT MINUTES

U.S. MAGISTRATE JUDGE LINNEA R. JOHNSON DATE: 7/12/04 TIME: 10:00 AM -10:15 amDEFT. ARCHIBALD MACLEOD (J)CASE NO. 04-5154-LRJLANGUAGE: ENGLISHPRISONER NO.: AUSA. John RostrenakerATTY. Robert Adler AFPDEMALYN WEBBER

WARR/COMPLT/MASS/PWID OXYCODONE

AGENT. DEAVIOL. 21:841(a)(1))PROCEEDING INITIALBOND. PTD (GOVT REQUEST)FUTURE DATES DISPOSITION Defendant advised of rights;FILED BY

04 JUL 12 PH 12:45

2 D.C.

Federal Public Defender appointed

CLARENCE MADDON

Government requested Pretrial Detention

CLERK U.S. DISTRICT

Pretrial Detention hearing not held.

S.D. OFF FLA - WPB

Pretrial Detention hearing to be held in Massachusetts.

2 D.C.

Defendant advised removal.Defendant ordered removed forthwith.DATE: 7/12/04TAPE:LRJ-04- 42-3992/2

U.S. District Court
Southern District of Florida (W. Palm Beach) *MASS.*

7/13/04 10:00 AM
CLOSED

CRIMINAL DOCKET FOR CASE #: 04-M-5154-ALL

USA v. Macleod
Dkt# in other court: None

Filed: 07/12/04

Case Assigned to: Magistrate Judge Linnea R. Johnson

ARCHIBALD F. MACLEOD, JR. (1) Public Defender
defendant [term 07/13/04]
[term 07/13/04] FTS 833-0368
[COR LD NTC pda]
Federal Public Defender's
Office
400 Australian Avenue N
Suite 300
West Palm Beach, FL 33401-5634
561-833-6288

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints Disposition

WARRANT & COMPLAINT from
District of Massachusetts
(Case #04-1809-CBS)

Certified to be a true and correct copy of the document on file	
Clarence Maddox, Clerk	
U.S. District Court	
Southern District of Florida	
By	<i>Clarence Maddox</i>
Deputy Clerk	
Date	7/13/04

Docket as of July 13, 2004 4:58 pm

Page 1

Proceedings include all events.
9:04m 5154-ALL USA v. Macleod

CLOSED

ARCHIBALD F. MACLEOD, JR.

defendant

=====

USA

plaintiff

U. S. Attorneys:

NONE

Docket as of July 13, 2004 4:58 pm

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Proceedings include all events.

9:04m 5154-ALL USA v. Macleod

CLOSED

7/12/04 -- ARREST of Archibald F. Macleod Jr. (eg)
[Entry date 07/13/04]

7/12/04 1 COPY OF WARRANT & COMPLAINT from District of Massachusetts
(Case #04-1809-CBS) as to Archibald F. Macleod Jr. (eg)
[Entry date 07/13/04]

7/12/04 2 Minutes of Initial held on 7/12/04 before Magistrate Judge
Linnea R. Johnson as to Archibald F. Macleod Jr.; Court
Reporter Name or Tape #: LRJ-04-42-399 (eg)
[Entry date 07/13/04]

7/12/04 3 ORDER on Initial Appearance as to Archibald F. Macleod Jr.
Bond set to Temp PTD; PTD not held - Defendant has right to
visit PTD issue in Massachusetts., for Appointment of
Public Defender, , (Signed by Magistrate Judge
Linnea R. Johnson on 7/12/04) Tape # LRJ-04-42-399 CCAP (eg)
[Entry date 07/13/04]

7/12/04 4 WAIVER of Rule 40 Hearings by Archibald F. Macleod Jr. (eg)
[Entry date 07/13/04]

7/12/04 5 WARRANT OF REMOVAL from Southern District of Florida to
District of Massachusetts as to Archibald F. Macleod Jr. ((
Signed by Magistrate Judge Linnea R. Johnson on 7/12/04)
[EOD Date: 7/13/04] Tape # LRJ-04-42-399 CCAPΔ (eg)
[Entry date 07/13/04]

7/13/04 6 Transmittal Letter sent to District of Massachusetts in
case as to Archibald F. Macleod Jr.. Documents Sent:
7/13/04 (eg) [Entry date 07/13/04]